

AMENDED IN SENATE JUNE 16, 2010  
AMENDED IN SENATE DECEMBER 17, 2009  
AMENDED IN ASSEMBLY JUNE 1, 2009  
AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## ASSEMBLY BILL

**No. 814**

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**Introduced by Assembly Member Hill**

February 26, 2009

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An act to amend ~~Sections 12010 and 12021 of the Penal Code, relating to firearms.~~ *Section 3010 of the Elections Code, relating to elections.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 814, as amended, Hill. ~~Firearms: surrender.~~ *Vote by mail ballots: notification.*

*Existing law requires elections officials to provide a vote by mail ballot and supplies necessary to complete and return the ballot to each qualified vote by mail voter prior to an election.*

*This bill would additionally require that elections officials include a notification with the vote by mail ballot that would inform the voter that he or she should receive a voter information guide.*

*Because the bill would require additional duties from elections officials, it would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

~~Existing law directs the Attorney General to establish a Prohibited Armed Persons File, as specified.~~

~~This bill would urge local law enforcement agencies to obtain a secured mailbox from the Department of Justice in order to receive information from the Prohibited Armed Persons File, and would encourage review of the file in connection with the relinquishment of firearms by defendants subsequent to conviction, as specified.~~

~~Existing law makes it an offense for a person convicted of a felony, who is addicted to narcotics, or, for a period of 10 years, for a person who is convicted of specified misdemeanors, to own, purchase, receive, have in their possession or under their custody or control any firearm, as specified. Existing law provides for a notice to a defendant of these provisions, as specified.~~

~~This bill would establish a procedure for a defendant who owns, has possession, custody, or control of a firearm, to sell the firearm to a firearms dealer or relinquish the firearm to a law enforcement agency in order to comply with the prohibitions described above. The procedure would in part require the defendant to disclose whether the defendant owns or has possession, custody, or control of any firearms and to list those firearms. The bill would provide procedures for persons in or out of custody to relinquish their firearms, including designating a law enforcement agency or a person as the defendant's designee, and would require the defendant or the defendant's designee to file a form showing, among other things, the date the firearm was relinquished. Failure to timely file the form would, subject to exception, be an infraction punishable by a fine not exceeding \$500.~~

~~By creating a new infraction, this bill would impose a state-mandated local program. By imposing additional duties on local law enforcement agencies, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.~~

~~With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs~~

~~so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Section 3010 of the Elections Code is amended*  
2     *to read:*

3     3010. The elections official shall deliver to each qualified  
4     applicant:

5     (a) The ballot for the precinct in which he or she resides. In  
6     primary elections this shall also be accompanied by the ballot for  
7     the central committee of the party with which the voter is affiliated,  
8     if any.

9     (b) All supplies necessary for the use and return of the ballot.

10    (c) *A notification that the voter should receive a voter*  
11    *information guide containing detailed information on the*  
12    *candidates and measures that will be on the ballot for the election.*

13    No officer of this state may make any charge for services  
14    rendered to any voter under this chapter.

15    *SEC. 2. If the Commission on State Mandates determines that*  
16    *this act contains costs mandated by the state, reimbursement to*  
17    *local agencies and school districts for those costs shall be made*  
18    *pursuant to Part 7 (commencing with Section 17500) of Division*  
19    *4 of Title 2 of the Government Code.*

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22     **All matter omitted in this version of the bill**  
23     **appears in the bill as amended in the**  
24     **Senate, December 17, 2009. (JR11)**  
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